

From: penndutch@earthlink.net
Sent: Sunday, June 11, 2006 2:30 PM
To: Bradley, Mark; Frances, Valerie
Subject: Pasture Rule comments

Hi Mark and Valerie,
I would like to comment on the proposed Rule change in regards to pasture.
I am commenting as a private citizen and not as a current NOSB member.

I believe that there are various ways that cows can be pastured and that the various ways can be truly meaningful, especially in regards to what consumers would think of as pastured cows that produce certified organic milk. While the 120 days that is proposed does indeed seem to be a good proposal, I have difficulty with the concept that the other component must be 30% dry matter intake. I fully realize that there are masses of electronically submitted petitions stating that the 120 days and 30% dry matter become the new rule; however, I do not believe that all options are being taken into account. Some would even say that if the current, existing Rule were to truly be enforced, this whole issue would not be where it is today.

Before elaborating on the other possible ways to describe/define pasture for certified organic cows, I would like to comment on the temporary exemption of pasture which allows "stage of production" to be an officially allowed exemption. This term *must* be changed. It is, I think, the prime reason some farms feel that they need not pasture their cows. While the NOSB Guidance document of 2005, which passed unanimously, proposed a change in the term "stage of production" to "stage of life", in part to be consistent with an existing regulation regarding poultry, I believe that the term "stage of life" is open to even far greater interpretation than is the "stage of production". I would suggest that the term "stage of production" *not* be replaced by "stage of life" but be replaced by 3 separate items: "illness", "neonatal life (up to 6 months of age)" and "peri-parturient period (1 week prior to parturition and up to 1 week after parturition)". These three items will satisfy the need for oversight of animals in regards to their welfare. These are times the when their immune system is most challenged and/or potentially require human intervention. I do not think, as a professionally trained veterinary medical doctor, that animals should be denied access to pasture for any other reason (except as stated otherwise in the existing Rule). Additionally, I would remove that beef cattle can be exempted from pasture and confined for the last 3 months for finishing prior to slaughter. That beef must be finished in confinement mistaken - it is based on currently used bovine genetics that need to be fed grain for those last 120 days to get the proper marketable beef. It is *not* an animal welfare issue; and animal welfare should trump marketing issues. Animal welfare should be the basis for marketing - not marketing dictating the level of animal welfare.

OK - so back to the pasture description, now that it may be safe to do so since the temporary exemptions to be on pasture are hopefully rectified by the above suggestions. I have always asked, "why 30% dry matter"? Where *did* this come from? Is this biologically based? Or is this merely a cut-off point to have been included as "a grazer" during a few studies conducted by some universities? It seems *really* arbitrary. Why not 40%? Why not 20%? Why 30%?? Is this the level when a cow's rumen optimally functions? In the above paragraph, I hopefully have explained why the term "stage of production" needs to be changed to the three items I stated. The items are based on animal welfare, as well as scientific reason. The 30% dry matter is not. Science certainly does not have to be the basis for a decision in the

public sphere - however, when there is an arbitrary cut-off of a minimum 30% dry matter intake - without other possible options - I must wonder why it is being constantly repeated so loudly. I do not subscribe to the theory that if a statement is repeated often enough and long enough, that the statement then becomes a fact or truth.

(Unfortunately, many misguided ideologues in modern history have used this method of "persuasion" to indoctrinate the masses.) I believe it is actually to make sure that only a certain farm size can become certified organic. I believe this is naive and, arguably, arrogant. Most rational folks in the industry will readily agree that if a large farm can make the grazing requirements (whatever they end up being) then fine, they should be certified just like the small farms. I certainly can live with a 30% dry matter intake - if it is not the *only* possible option. (I am assuming the 120 minimum days has been fairly well accepted as I haven't heard any public dissent). I would like to suggest that since the USDA will likely accept the 120 days minimum, perhaps we should look at Time again, and require a minimum hours per day out on pasture. I would suggest 8 hours a day - roughly the equivalent time that most consumers work in a day's time and therefore perhaps an acceptable portion of each of the 120 days when organic consumers stop to think about it. Some folks that are set on the 30% dry matter will say that the animals may simply be put out on non-productive areas. That is already not allowed, by what is already written in the current Rule (pasture must provide edible nutrition).

Additionally, no dairy farmer in their right mind would not provide feed for 8 hours in a day, because milk production would really suffer. Also, 8 hours is 30% of a day - so if "30%" is being chanted for dry matter, then 30% time out on pasture should be somewhat akin to that. Regarding calculating the 30% dry matter intake, the certifier panel at the State College meeting definitely gave the impression that it would not be an easy task. Yes, you can back calculate. And yes, with the former "80/20"

allowance, certifiers had to calculate organic and conventional feed proportions of the diet. However, when certifiers publicly state un-easiness with the 30% dry matter calculation, I think it is worthy of consideration. Remember, living growing plants are constantly changing - something very different than simply looking at the receipts of purchased feeds. Finally, while a set of farmers have been very vocal for the 30% dry matter intake as a minimum, what about the processors? We did not hear from them directly at the meeting. According to my own phoning to processors, only one processor (Humboldt Creamery) has publicly stated that they require the 120 days / 30% dry matter as requirement. Others mention it as a goal (Organic Valley). There is a difference between a requirement and a goal - especially when it comes to federal law.

So, I would like to see an 8 hour a day requirement for the 120 days. But I don't want to push my one idea on the masses. Thus, perhaps there could be other options that other farmers would like. Such as a maximum amount of animal units per acre (based on a thousand pound animal). For instance, 3 cows (or animal equivalents) per acre maximum for the entire farm. Another option would be a bio-mass assessment of what the cows are actually eating.

After all, with the 30% dry matter intake, who is to say it is actually nutritious? With bio-mass clippings, the cows would be guaranteed certain *quality* of pasture nutrition, not just quantity. Better yet, in order to accommodate wide geographic diversity, why not have 4 or 5 factors from which a farm could choose (stating which factors are going to be met documented in the Organic System Plan) and require that an operation accomplish at least 2 of the factors in order to satisfy pasture requirement. (To parallel the current 2 factors of 120 days and 30% dry matter intake.) This would seem to be the best of all worlds - allowing individual farms to plan their cows' pasture for the best of their circumstances. I did not understand when some "30% dry matter"

folks immediately thought that an "options" approach would create loopholes.
How?

Let's also keep in mind that organic consumers do not know how much pasture the cows will actually be eating. They simply want to see - and be guaranteed - that the organic cows are grazing for the milk they are buying. Many farmers currently do not know exactly how much their cows are grazing either, but they like that they are out there on pasture, but likely for other reasons than what the consumers want. When I am out on farms and driving around Lancaster County, PA in my practice area, when I see organic cows out on pasture, it is a pleasing sight to see. Yet I am not worried about exactly how much dry matter they are consuming from the pasture. I don't particularly care - I just want those organic cows to be out and enjoying their freedom of movement and expressing their natural behavior by eating the green vegetation in the paddocks. I figure that the longer they are outside in the paddocks, the more dry matter they are consuming from them. Some organic farms still pasture in a traditional sense, by simply letting the cows out, yet not managing their pastures as well as they could. That is too bad for those particular farmers, but by and large, once farmers start pasturing their cows, they like the results they see and increase their management of their pastures continually. This happens currently without any thought to "30% dry matter intake".

To finish up, I think that all certified organic cows, heifers and calves over 6 months of age ***MUST*** be out on pasture during the growing season. This can be accomplished by deleting the exemption for "stage of production" and insert the three suggested terms that I stated above. The finer descriptions of exactly ***how*** cows should be on pasture should be left up to the farmers. However, so that there no longer exist any dry-lot type organic farms, certain minimums must also be in place that certifiers can actively enforce. I believe the fairest way, due to geographic diversity, is to give farms a set of options from which to choose, as stated above.

I would like to suggest that no existing operation be "grandfathered" once the new Rule becomes official. This is critical. I would, however, allow a one year (at maximum two years) update to a farm's OSP to show how they will come into compliance.

Thanks for reading all this,
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